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PTO/SB/05 (4/98)  
 Approved for use through 09/30/2000. OMB 0651-0032  
 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. E-1804

First Inventor or Application Identifier Carrender et al.

Title Phase Modulation in RF Tag

Express Mail Label No. EK386615231US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents  
 Box Patent Application  
 Washington, DC 20231

1. ☒ \* Fee Transmittal Form (e.g., PTO/SB/17)  
 (Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages 17]  
 (preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the invention
  - Brief Summary of the invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
4. Oath or Declaration [Total Pages 3]
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))  
 (for continuation/divisional with Box 16 completed)
    - i. ☐ DELETION OF INVENTOR(S)  
 Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Copy
  - b. ☐ Paper Copy (identical to computer copy)
  - c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

7. ☒ Assignment Papers (cover sheet & document(s))
8. ☐ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney  
 (when there is an assignee)
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)  
 (Should be specifically itemized)
13. ☒ \* Small Entity Statement filed in prior application, Status still proper and desired (PTO/SB/09-12)
14. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
15. ☐ Other:

\* NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_ Group / Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name	Stephen R. May (K1-53)				
	Battelle Memorial Institute				
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City	Richland	State	WA	Zip Code	99352
Country	U.S.A.	Telephone	(509) 375-2387	Fax	(509) 375-4487

Name (Print/Type)

Stephen R. May

Registration No. (Attorney/Agent)

29,255

Signature

Stephen R. May

Date

June 6, 2000

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



06/06/00

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<b>FEE TRANSMITTAL</b> <b>For FY 2000</b> Patent fees are subject to annual revision. Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 AND 1.28. <b>TOTAL AMOUNT OF PAYMENT</b> <b>(\$)</b> 393.00		<b>Complete If Known</b>	
Application Number		Not Assigned	
Filing Date		Herewith	
First Named Inventor		Carrender et al.	
Examiner Name		Not Assigned	
Group/Art Unit		Not Assigned	
Attorney Docket No.		E-1804	

<b>METHOD OF PAYMENT (check one)</b> 1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number: <b>02-1275</b> Deposit Account Name: <b>Battelle Memorial Institute - PND</b> <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17 2. Payment Enclosed: <input type="checkbox"/> check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		<b>FEE CALCULATION (continued)</b>																																																																																																																																																					
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<b>SUBMITTED BY</b> Name (Print/Type)      Stephen R. May      Registration No.      29,255      Telephone      (509) 375-2387		Complete (if applicable) Signature <i>Stephen R. May</i> Date      June 6, 2000	
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SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

EXPRESS MAIL MAILING LABEL #EK386615231US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
CL Carrender, RW Gilbert )  
For: PHASE MODULATION IN ) Our Ref. No: E-1804  
RF TAG ) Date: June 5, 2000

CERTIFICATE OF MAILING

Box PATENT APPLICATION  
Commissioner of Patents and Trademarks  
Washington, DC 20231

Dear Sir:

The undersigned hereby certifies that the attached:

- ☒ [ X ] Patent Application of 17 pages, and
- ☒ [ X ] Drawings of 2 Sheets
- ☒ [ X ] Fee Transmittal (2 ea.)
- ☒ [ X ] Assignment / Cvr. Sheet
- ☒ [ X ] Combined Declaration and Power of Attorney
- ☒ [ X ] Small Entity
- ☐ [ ] Information Disclosure
- ☐ [ ] with attachments

are being deposited with the United States Postal Service as:

- ☐ [ ] First Class Mail
- ☒ [ X ] Express Mail - Label #EK386615231US in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the date set forth below.

Janice K. Laybourn  
Signature

6/6/00  
Date Deposited

Janice K. Laybourn K1-53  
Intellectual Property Services  
Battelle Memorial Institute  
Pacific Northwest Laboratories  
P.O. Box 999  
Richland, WA 99352  
(509) 375-2655

00588997.060600

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant or Patentee: Curtis Lee Carrender and Ronald W. Gilbert

Serial or Patent No.: \_\_\_\_\_

Filed or Issued: \_\_\_\_\_

For: PHASE MODULATION IN RF TAG  
VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(d)) -

I hereby declare that I am an official empowered to act on behalf of the entity identified below:

NAME OF ORGANIZATION Battelle Memorial Institute  
Pacific Northwest Division  
ADDRESS OF ORGANIZATION Post Office Box 999, Richland, WA 99352

## TYPE OF ENTITY:

- ☒ Nonprofit Organization (37 CFR 1.9(e))  
Nonprofit Scientific or Educational Under Statute of State of the  
United States of America  
(Name of State Ohio)  
(Citation of Statute Sections 1719.01 and 1719.05, Rev. Code  
of Ohio)
- ☐ Small Business (37 CFR 1.9(d))
- ☐ Independent Inventor (37 CFR 1.9(c))

I hereby declare that the entity identified above qualifies as such as defined in ☐ 37 CFR 1.9(c) ☐ 37 CFR 1.9(d) ☒ 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled PHASE MODULATION IN RF TAG by inventor(s) Curtis Lee Carrender and Ronald W. Gilbert described in

- ☐ application executed \_\_\_\_\_
- ☒ specification filed herewith
- ☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_
- ☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_.

005588997.060600

I hereby state that rights under contract or law have been conveyed to and remain with entity with regard to the above identified invention.

If the rights held by such entity are not exclusive, each individual, concern or organization having rights in the invention must file separate statements as to their status as small entities (37 CFR 1.27) and that no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
[ ] INDEPENDENT INVENTOR [ ] SMALL BUSINESS CONCERN [ ] NONPROFIT  
ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
[ ] INDEPENDENT INVENTOR [ ] SMALL BUSINESS CONCERN [ ] NONPROFIT  
ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Stephen R. May  
TITLE OF ORGANIZATION Contracting Officer, Pacific Northwest Division,  
Battelle Memorial Institute  
ADDRESS OF PERSON SIGNING Post Office Box 999, Richland, WA 99352

SIGNATURE Stephen R. May DATE June 6, 2000

009090 2668560